

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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JOAN SIMON,

Plaintiff,

v.

SAINT DOMINIC ACADEMY,
GUENDOLYN FARRALES and JOHN
DOES 1-3,

Defendants.

Civil Action No.: 2:19-cv-21271-JMV-MF

Hon. John M. Vazquez, U.S.D.J.
Hon. Mark Falk, U.S.C.M.J.

**MOTION TO DISMISS
SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendants Saint Dominic Academy and Guendolyn Farrales (“Defendants”), by their undersigned counsel, hereby move this Court for an Order dismissing with prejudice Plaintiff’s Second Amended Complaint pursuant to Fed.R.Civ.P. 12(b)(6). In support of this Motion, Defendants concurrently submit a Memorandum of Law in Support of the Motion, the Certification of James K. Webber, and the Certification of Sharon M. Buge, which are hereby incorporated within this Motion by reference.

As explained in the Memorandum, this matter is a civil action concerning Plaintiff’s allegations of discrimination, breach of contract, and violation of state and federal family leave laws. Plaintiff’s Second Amended Complaint, however, is poorly pled, confusing, ambiguous,

and, most importantly, barred by the United States Constitution. It ought to be dismissed with prejudice at this time.

Defendants therefore respectfully request that the Court grant the Motion in its entirety.

A proposed order will be submitted contemporaneously with this request.

Defendant respectfully requests that this Motion be heard on August 2, 2021, or as soon thereafter as the Court deems appropriate.

Dated this 2nd day of July, 2021.

/s James K. Webber

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